Defence Resents Jerome's Imputations of Contrivance-Prosecution Tries to Show What Absent Witnesses Once Swore To Court Very Doubtful.

The prosecution in the Molineux case succeeded in getting before the jury yesterday afternoon evidence that a rumber of witnesses resident in Newark, whose testimony is deemed important by the State, refuse to come into this State to testify. When the session was over District Attorney Jerome said to the reporters:

'I called personally on Gov. Murphy of New Jersey last night and told him that I knew he had no power over private citizens and that I didn't know that he could compel public officials to come here. I pointed out, however, that, according to reports brought to me, a Police Commissioner of Newark W. B. Guild, who is a lawyer| was the paid attorney for the defence; that Detective Joseph Farrell of Newark, whom we wanted, had been allowed to depart suddenly on his vacation; that the house in which Mamie Melando is living is guarded by Newark police, who prevent any one who might persuade the girl to come here from getting anywhere near her; and that the Police Commissioner referred to had refused to come to New York to give testimony in the case.

"I reminded the Governor of the courtesy that had always been extended to the New Jersey authorities by the authorities of New York in criminal cases and I asked that the courtesy be returned. The Governor appreciated the situation, communicated with Attorney-General McCarter, and directed him to do what he could to help us. As a result, Capt. Cosgrove, the acting Chief of Police of Newark, and one of the policemen we wanted were here this afternoon

"A little while ago, Commissioner Guild called me up on the telephone and told me that anybody connected with the Newark police force that I wanted for a witness I could have. I thanked him and said I'd like to have Farrell.
"But Farrell's gone on his vacation," replied Guild, 'and I don't know where he's

gone.' Well, said I, I'd like to have you

testify.'
"Weil, I won't come,' replied the Com-

"Weil, I won't come,' replied the Commissioner, 'and that's settled.'
"I told him that so far as I knew, nobody could compet him to come, and if he wanted to take the responsibility of putting himself insuch a position it was up to him. He said he wouldn't come and I said good-by. A little later I was called up by the President of the Common Council of Newark, Mr. Ward, who said he wanted to tell me that the people of Newark were not in sympathy the people of Newark were not in sympathy with any effort on the part of city officials to thwart the ends of justice. "I'm told that the lawyers for the defence

"I'm told that the lawyers for the detence are paying Guild to see to it that we do not get hold of certain citizens of Newark, in-cluding Farrell and Mamie Melando. I don't know that this is true and I don't like to believe it. If it is true, it's dirty business. If any lawyer for the defence will assure me on his honor that it is not

like to believe it. If it is true, it's dirty business. If any lawyer for the defence will assure me on his honor that it is not true, I'll accept the statement and drop the Newark end in a hurry."

Bartow S. Weeks, of counsel for the defence, overheard about all that the District Attorney had said. He was asked what he had to say about it. He replied:

"By insinuation and innuendo, the District Attorney has made a contemptible charge against the lawyers for the defence. As for the charge, it isn't true in any particular, and the District Attorney knows it. As for myself, my professional and personal reputation is just as high as Mr. Jerome's. I don't need to go around giving people my word of honor. My word is my word. I have heard what he said and I say the story is false from beginning to end. In saying this I speak for myself and all my associates. The result of this attempt to bolster up a weak case through the newspapers and by such testimony as was given this afternoon ought to be the taking of the case from the jury by Justice Lambert."

W. M. K. Olcott, another of the counsel

W. M. K. Olcott, another of the counsel W. M. K. Olcott, another of the counsel for the defence, said: "Of course, there is nothing in this Newark business. I think it will be taken for granted that none of the lawyers for the defence would stoop to such tactics. But what is much more to the point, the District Attorney can't the point of the year good many trees." prove it, and for the very good reason that the story isn't true." Whether or not the District Attorney

shall be permitted to read to the jury, under these circumstances the testimony which Mamie Melando and Detective Farrell gave at the first trial was a question suddenly raised at the afternoon session

At the first trial, Mamie Melando, a girl At the first trial, Mamie Melando, a giri employed by Molineux to take care of his lodgings in Newark, testified that she had found sheets of robin's-egg blue note-paper, with three crescents at the top, in Molineux's room, and a letter to a patent-Molineux's room, and a letter to a patent-medicine man at 350 Columbus avenue, signed by Molineux, was written on the same kind of paper. The defence has con-ceded that this letter was written by Moli-neux. The handwriting experts for the prosecution all testify that the hand which prosecution at testify that the fitting which wrote this letter wrote the address on the poison package sent to Cornich and the "Cornish" and "Barnet" letters. Therefore, the District Attorney asserts, with the testimony of Mamie Melando, the chair of evidence against Molineux is complete.

At the first trial Farrell testified that he

saw Molineux near Hartdegen's store in Newark, where the bottle-colder that held the poisoned sait was purchased, about 2 o'clock in the afternoon of the day the purchase was made. The girl who sold the bottle-holder testified at the first trial that the sale was made about 4 o'clock and that Molineux was not the purchaser. The package, however, was mailed at the General Post Office, New York, at such a time that to bring it from Newark whoever had it must have left Newark about 2 o clock. Yesterday afternoon the Assistant Dis-trict Attorney who is trying the case called Daniel Dcubert to the witness stand and

said:

Now, if your Honor pleases, I ask permission to read the testimony of Mamie Melando of Newark and Officer Farrell of the Newark police, which they gave at the first trial. They are outside the State and we cannot get them here. They are kept without the jurisdiction of this court by the lawyers for the defence and this we can prove. In submitting the proof, I think I can keep well within the statues bearing on such questions.

[To the witness.]

Q. Do you know Mamie Melando? A. I do.

How long have you known her? A. About nine—Mr. Black-I object, on the ground that all such testimony is irrelevant and imma-

Justice Lambert-What do you want to get at?
The Prosecutor—I assure your Honor that, in bringing out this testimony, we shall keep well within the railings of the Inited States Supreme Court and the Court of Appeals of this State, as laid down in the case of the People versus Field.
The Court—The Court of Appeals supersedes the United States Supreme Court for our purposes, You stick to that.
The Prosecutor—Very well, sir, Now, Mr. Deubert, how long have you known Marnie Meiando?

Mr. Demert, how long have you known Mamie Melando?
Mr. Flack-I object. I insist that the District Attorney must state what he expects to frove.

The Court I agree with you [To the prosecutor.] State your reasons for this procedure and what you want to get at.

District Attorney Jeromelintervening!—A condition exists here, if the Court Pleases, that I don't think we should go into be explanation in the presence of this jury.

The Court—You'll have to be more definite than that. It's clear to me that we're approaching dangerous ground here.

Mr. Black—Permit me to say, your Honor, that I don't think it's fire or desent to go on like this and throw out these insimutions in the presence of this jury, when, it is outle Glear, it is only intended to prejudice their minds. There is no law anywhere that I show of to justify any such procedure.

The Prosecutor—Dees your Honor want me to gite my authorities?

The Court—I certainly do. I want some

GAP IN THE MOLINEUX CASE don't know of any law that will permit such

The prosecutor then argued that while the statutes prohibit the reading of the testimony of a witness at a former trial, except in case of his death or insanity and except when the testimony was in the form cept in case of his death or insanity and ex-cept when the testimenty was in the form of a deresition taken before a Magistrate, under the common law, supported by the decisions of the United States Supreme Court, such testimony may be read when a wit-ness is absent from the State, and the

common law must prevail.

Mr. Black opposed this contention and argued that the statute law must govern.

Justice Lambert reserved his decision un-

Justice Lambert reserved his decision until this merning.

Acting Chief Cosgrove of the Newark police testified that Detective Farrell went away on his vacation yesterday. The witness didn't know where he had gone.

Cosgrove was subpossed to come back to-day. So was Detective Sergeant Glori of the Newark police who was in court yesterday and who, it is understood, is wanted to tell what he knows about Mamie Melando. Unofficially, it is stated by Mr. Jerome that Glori took the Melando girl weekly for many successive weeks to Commissioner Guild's office.

Guild's office.

Over the objection of Mr. Black, Policeman Brindley was allowed to testify that he had tried to get Robert Zeller, Molineux's friend in Newark to come to this State to testify and that Zeller had refused: and F. R. Lehlbeck, a Newark lawyer, was allowed to testify that he had tried to persuade Police Commissioner Guild to come and that Guild wouldn't. Detective Sergeant Carv testified that Archibald Arnold, super-Cary testified that Archibald Arnold, super intendent of Hartdegen's store, had als

Of the handwriting experts, Herbert S. Twitchell, assistant cashier of the Chase National Bank, said that Molineux wrote all the disputed writings

all the disputed writings.

Mr. Black—You testified in the Flechter violin case? A. I did
Q And you then testified that Flechter wrote a certain letter, and it was afterward proved that he couldn't possibly have written it! A. I haven't changed my opinion.
Q Even though it was incontestably proved that Flechter couldn't have written the letter? A. I have not changed my opinion.

opinion.

Alfred H. Graham, paying teller of the National Bank of North America; Charles E. Warren, cashier of the Lincoln National Fank; Charles Colyer, treasurer of the City Trust Company of Newark; Charles W. Jeroloman, paying teller of the National Newark Banking Company, and Gilbert B. Sayers, paying teller of the Shoe and Leather Bank, were the other experts. Of the latter the foreman of the jury asked.

Of the latter the foreman of the jury asked.

"Would you pay a check on that handwriting [the address on the poison package]
if it was signed by Molineux?"

"I would not," said the witness, who had
just given his opinion that Molineux addressed the poison package.

"But if it were signed Roland Molineux?"
put in the prosecutor.

put in the prosecutor.
"I think I would." "Then you have a doubt?" asked Mr.

"I have no doubt of my opinion; but opinions may be wrong."

MR. GUILD DENIES IT.

NEWARK, N. J., Oct. 28.—William B.
Guild says that the statement that he is in any way retained or employed on either in any way retained or employed on either side in the Molineux case is false, not-withstanding what Mr. Jerome may say to the contrary; and as Police Commissioner, he stated last night he had never been asked up to yesterday for the services or attendance of any Newark police officer at the present trial. When he was asked he sent Detective Glori and acting Chief Cosgrove to New York. Farrell he could not send, because that detective was away upon his annual vacation.

Every effort to procure Newark wit-

away upon his annual vacation.

Every effort to procure Newark witnesses had heretofore been made in an unofficial and peculiar manner up to the time Jerome went to Gov. Murphy. Detectives from New York had been out furtively, but as far as he could learn had never asked Glori, Christie or Cosgrove to appear as witnesses.

Glori said the same to-night. He denied that the New York detectives, although

that the New York detectives, although they had been in consultation with Cos-grove and himself, had ever asked for their attendance as witnesses at the trial GOOD-BY TO SIAM'S PRINCE.

He Dines His Entertainers Before Setting Out en His Western Tour.

On the eve of his departure from the city the Crown Prince of Siam entertained at | was not allowed to name the lady. dinner in the Waldorf last night those whose hospitality he has enjoyed during his visit here. The dinner was served in the dining room of the royal suite, which was deco rated with the Stars and Stripes. Whit chrysanthemums and red roses covered the table and the guests were in their lapels red, white and blue in the form of violets, white carnations and red roses

Mayor Low toasted the King of Siam Mayor Low toasted the Eng of Siam, and the Prince toasted the President. There was no speechmaking, but the Prince in replying to the toast of his health told what a jolly good time he had had here and what good people he had found the Americans to be. His younger brother, who is an officer in the Russian Army, said he thought New Yorkers were the best people he had ever met. he had ever met.

he had ever met.

After-dinner speaking is not the vogue in Russia and Prince Chakrebongse said his brother officers would marvel when he told them that he had managed to follow the American custom at every dinner he had attended in New York.

Busides the Crown Prince and his brother

had attended in New York.

Besides the Crown Prince and his brother the guests included Mayor Low, the Hon. H. H. D. Pierce, Gen. James Wilson, Col. David B. Sickels, Joshua F. W. Hollis, the Siamese Minister, Col. Mills, Lieut.-Col. Kipp, the Hon. I. T. Smith, Col. Rajavalloch, Lieut. Eberle, U. S. N., James B. Revnolds, Capt. Surayuoh, Edwin Morgan, Gen. Halderman, Gen. John J. McCook, Warner Van Norden, Dr. Arthur Brown, Louis D. Hildreth, James Lawrence, Melville E. Stone, James H. Hyde, Henry Clews, R. A. C. Smith, William Greenough, Mom Amuvalia, G. E. Smith, Major Saraviddhi, F. Morgan, Nai Poum, Edward Lofius and Prof. T. H G. E. Smith, Major Sara-iddhi, F. Morgan, Nai Poum, Edward Leftus and Prof. T. H

To-day at noon the royal party will go to Boston on the car Columbia to begin their Western tour

COP TOOK A HALF-DOLLAR BRIBE? Kesselmark Held for Demanding Money From an East Side Prisoner.

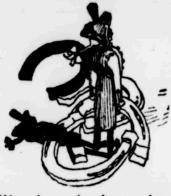
Policeman Joseph P. Kesselmark of the Essex Market court squad was arrested yesterday morning by Policeman Walsh of the District Attorney's office and two county detectives and was arraigned before Justice Mayer, sitting as a Magistrate in the Court of Special Sessions. He is accused of taking a bribe of 50 cents and was held in

\$1,000 bail for examination.

The complainant in the case is Jacob Guttenberg of 57 Willett street, a furniture mover. His story is that he recently moved a family who could not pay him in full, so he retained some of the furniture. He was arrested and arraigned in Essex Market court a few days ago on a charge of petit larceny. Kesselmark, Guttenberg says, served the warrant and demanded \$1. saving that the complainant had given him money and that Guttenberg must do so

This demand, it is alleged, was made in the presence of Guttenberg's wife and son. They told Kesselmark that they had only 50 cents and gave him that, promising to give him the rest in court in the morning.
Guttenberg's wife and son went to the
District Attorney's office the next day
and told Assistant District Attorney Kressi their story. Mr. Kresei gave them a marked half-dollar and sent Policeman Walsh and two county detectives with Guttenberg. The three say they saw him hand Kesselmark the half dollar. When placed under arrest the policeman dropped it on the floor and one of the county detectives

New Trustees of the Protestant Cathedral. The trustees of the Cathedral of St. John the Divine elected the Rev. Dr. J. Lewis Parks and August Belmont to fill the trusteeships left vacant by the deaths of Dean Hoffman and Samuel D. Babcock. The Rev Dr. Cady presided in the absence of Bishop Potter. The architects of the Cathedral, Heins & Le Farge, were authorized to submit designs and estimates for a senate house to adjoin the cathedral.



We changed the maker of our highest priced unfinished

It's a change of luck for some 500 men—the garments on hand of the original fabric are to be

Serge-lined sacks and vests \$15.00, were \$21 Serge lined cutaways and vests 15.00. Silk lined cutaways and vests 18.00, " Extra double breasted vests 2.50.

Added to these are some diagonal worsted sack suits. were \$25; now \$18.

Also some tricot sack and cutaway suits, were \$20 and \$22;

About 500 suits, all black.

ROGERS, PEET & COMPANY. 255 Broadway, cor. Warren, opposite City Hall, 842 Broadway, cor. 13th, and 140 to 145 tin Ave. 1260 Broadway, cor. 3td, and 54 West 3ad St.

SUES HOWARD GOULD AGAIN.

RETRIAL OF VALET MOWBRAY'S DEMAND FOR \$25,000.

Mr. Gould Promised Him a Life Job, He Yacht-No Gossip Allowed at Yesterday's Session-Valet Won First Trial.

The second trial of the suit of Frank Duton Mowbray against Howard Gould, who at one time employed him as yacht steward and valet, began yesterday before Justice Truex and a jury. The plaintiff sets up that Mr. Gould promised him a life job as valet at \$80 a month "and found" because Mowbray lost his left eye while setting off some fireworks on July 4, 1893, on board the yacht Hildegarde. Mowbray, who was discharged by Mr. Gould in August, 1897, for intoxication, sues for \$35,000 for the breach of this agreement.

At the first trial in June, 1900, Mowbray got a verdict for \$5,000, but this was reversed by the Appellate Division on the ground that much evidence which was classed as "servants' gossip" had been allowed. This evidence was left out yesterday, so that the trial was much quicker When court adjourned, at 4 o'clock, both sides had rested and the summing up had commenced.

said that Mr. Gould sent him money during his sickness, and afterward made him his valet at \$80 a month and expenses, which, he said, meant another \$25 a week. Four years later, he said, he was discharged. He said Mr. Gould told him he was sorry to de it, but that the wishes of "a certain lady" made the discharge necessary. Mowbray

Mowbray denied being a drunkard, but when Mr. Hummel confronted him with a letter in which he had written to Mr. Gould that he "had conquered his old enemy drink," he said he occasionally took a glass

ray and testified that Howard Gould had old her he was sorry for Mowbray and hat he supposed he would have the man on his hands for life.

on his hands for life.

The plaintiff then rested and Mr. Gould took the stand. He denied ever having made any contract with Mowbray. He had discharged the valet, he said, because Mowbray drank heavily and kept getting worse and worse. He said he did not consider himself responsible for Mowbray's injuries, but that he felt sorry for the man and tried to assist him as far as he could.

Mr. Hummel then made a motion to dis-Mr. Hummel then made a motion to dis-miss the complaint on the ground that the cause of action or the existence of a contract had not been affirmatively shown.
Justice Truax denied the motion, and both
sides summed up. The jury will be charged this morning.

YALE B. A. WITHOUT GREEK Student From Another College Not Re-

outring It Admitted to Senior Class. NEW HAVEN, Conn., Oct. 28.-According o statements made to-night it will be possible in the future for students of Yale University who have received the B. A. degree from another college without study ing Greek, to come here and receive the M A. degree without being obliged to make up their Greek or even studying that language. It will also be possible for a student has received his B. A. degree from another college without studying Greek to enter the senior class at Yale getting his diploma from Yale at the end of a year without studying Greek

A year ago the question of removing Greek from the list of entrance examination subjects was taken up by the Yale faculty. The proposed movement abandoned largely because of the difficulty of establishing a subject in the place of Greek which would be mutually satisfactory to Yale and to the preparatory schools

of the country.

At the graduate school it was said this afternoon that the committee in charge of the matter had discretionary power bout conferring the master of arts degree In the academic department it was learned that a student had already entered the senior class from another college who had not studied Greek. This is the first case in the history of Yale. The student had a diploma from another college which does not regard Greek as accessfully a contract of the student had a diploma from another college which does not regard Greek as accessfully as our regard. not regard Greek as necessarily an entrance requirement. At present Greek to the extent of about three years work is required at Yale in the entrance examinations.

CITIZENSHIP BY COMPULSION. Italians Had to Swear In to Keen Their

Jobs on the Reservoir. The clerks in United States Commisdoner Shields's office in the Federal Building whose duty it is to make out first naturalization papers gave a continuous performance all yesterday morning for the benefit of about one hundred Italian laborers who walked in from Bedford Park to declare their intention to become citizens.

The real motive of the applicants was to sure themselves from losing their jobs on the Jerome Park reservoir work. On Mon-day the superintendent in charge of the work made a canvass and discovered that many of the Italians had failed to take out first papers, as required by law of all labor-ers on public works. The delinquents were ordered to knock off yesterday and to qual-ify or not to come bao

This will probably be our last week at the old store.

We have made reductions in all departments to induce our customers to aid the moving process. Specimens:

Dress Goods.

50c. All-wool French Challis. beautiful designs on light and dark grounds; our price. 24c

50c. All-wool Cashmere and Cheviots in neat heather mixtures; our price 29c

69c. to \$1.24 All-Wool Dress Goods at 49c This lot is made up of odd lots and single pieces of Black and Colored Cloths, Cheviots, Serges, Etamines, Hair-line Suitings, Whipcords, Diagonals, Venetians and nearly a score of other weaves that are both desirable and seasonable.

Black and Colored Silks.

Moire Velours, clearly defined water marks, street and evening shades; sold regularly at 85c.; our price 49c.

24-in. Crepe de Chine.

Large assortment of colors, including black, navy, gray, castor, tan, cardinal, violet, mais, blue, ciel, pink, rose, pearl, ivory and white..... 64c

A heavy, rich, soft-finished, double faced Silk that we recommend in every way. Don't mistrust the quality because the price is so low. It is an exceptionally fine value 78c

Black Peau de Soie.

Pure-dye Black Taffeta, 23 inches wide, extra strong and brilliant, wear guaranteed, sold regularly at \$1.00; our price 78c. \$1.50 Imported Lace Collars at 98c.

Imported Russian Lace Collars, three new and unusually pretty styles, would be cheap at \$1.50; our price 98c.

> Men's \$2.50 Men's \$3.00 Shoes at Men's \$3.50 Go to the annex for them.

Men's and Boys' Clothing-ANNEX.

Men's Rain Coats, dark gray and tans, reduced from \$17.96 and

Young Men's Suits, regular value \$12.50 and \$13.50; choice, \$8.98. Boys' Two-piece Suits, worth up to \$5.50; choice, \$3.94.

Remnants of Floor Coverings.—Annex.

Remnants of Carpets, Mattings, Oil Cloths and Linoleums will accumulate fast enough. The opening display must be free from all such obstructions.

Ingrain Carpets, 3 to 7 yards, 59c., 69c. and 74c. qualities, reduced to 29c

Remnants Straw and Grass Matting, 18c. to+36c. qualities, reduced to..... 14c

Remnants of Oil Cloth and Linoleums relatively low. One thousand samples of Axminster, Brussels, Wilton Velvet and Tapestry Carpets, 11 yard lengths, reduced from \$1.09 and \$2.07 to 57c., 67c. and 98c.

BAD GIRL STABS A CHINAMAN.

TRAIL OF BLOOD AS THEY RAN THROUGH BROOKLYN STREETS

Says It Was Her Life or His, and She Made It His-He's in a Hospital With Six Wounds in His Body Her Record for Waywardness Known to the Police.

Mary Kern, an eighteen-year-old girl, abbed a Chinese laundryman named Foo Wah early yesterday morning in his aundry, at 780 Grand street, Williamsburg. He will probably die from his wounds. Mary is a wayward girl, and has been a

requent visitor to the Chinaman's place. Her parents live at 152 North Fifth street Two weeks ago she disappeared from her home. She was found in the house of Ernest Weber, an elderly man, at 100 Walton street, and he was arrested on a charge of keeping a disorderly house. The girl was to have appeared against him to-day in the o have appeared against him to-day in the

ourt of Special Sessions. On Monday night she went to Foo's aundry and remained there for several hours. She returned yesterday morning, and shortly after 7 o'clock she was seen running out of the place. Foo followed her, and as he ran he left behind a trail of lood. The girl ran down Grand street o Humboldt and thence to Maujer street. The laundryman pursued her until he fell in front of the house at 172 Maujer street.

The girl saw him fall and then she stopped for a moment to adjust her hair. When she saw a crowd coming she again began to run, and three blocks further on Policeman Lawler halted her and asked what the trouble was. She told him that she had stabbed a Chinaman because he had insulted her. Lawler took her to where Foo lay.

her. Lawler took her to where Foo lay, and he muttered that she had stabbed him. Foo was taken to St. Catherine's Hospital. We had been stabbed twice in the back, each wound having penetrated the kidneys. There were four more wounds in the chest, arms and face.

The girl was taken to the Stagg street police station, where she told Capt. Maude that she had stabbed the Chinaman in self-defence. She said she had been in the habit of going to the laundry for tea, and when she went there vesterday he showed her some fancy chinaware and wanted to give it to her. When she tried to leave he barred the way and drew a knife and made a motion as if to stab her. to leave he barred the way and drew a knife and made a motion as if to stab her. She wrested the weapon from him and during a scuffle he received his wounds.

When the girl was more closely questioned she admitted she had been wayward and had frequently called at Foo's laundry. She said that he had treated her very gruffly yesterday merning and tried to prevent her from leaving.

HARBORED ABDUCTED GIRL. Two Women Arrested as a Result of Geneva Osbaldeston's Story.

Mary A. Howard and Bella Furlong, both of whom gave addresses on West Forty-third street, were arrested last night by Detectives Kinslow and Duggan on warrants issued by Magistrate Flammer in the Tombs police court and charging them with keeping disorderly houses. The arrests were the result of testimony given by seventeen-year-old Geneva Osbaldeston of 7 West Sixty-third street at the examination of Henry Livingston, who was arrested last Sunday on a charge of abduction.

tion.

The girl told Magistrate Flammer that she had spent two days with the Howard woman and eleven days at the house of the Furlong woman. The two prisoners were taken to Police Headquarters last evening, but were later hailed out by H. Ritmann, a grocer of 682 Eighth avenue They will be arraigned in the Tombs police court to-day.

ADMITS BETTING AT WAKELY'S. Lawyer Steinhardt Says Wagers on Races

Were Recorded There. Jimmie Wakely, the saloonkeepe Forty-second street and Sixth avenue, we arraigned before Justice Wvatt, sitting as a Magistrate in Special Sessions, yesterday charged with keeping a poolroom.

Joseph Jacobs, the detective employed by the Citizens' Union, testified that on Oct. 22 he made a \$5 bet on Advance Guard in Wakely's place. Jacobs said he saw the bet registered in a book, and he produced the book. Later in the day he re turned and collected \$7.50, he said. Wakely was there at the time

Policeman Wa'sh of the District Attorney's office testified that he had visited Wakely's place with a search warrant and

guilty of keeping a place for recording wagers."

The case was then adjourned until Nov. 5.
Justice Wyatt, as a Magistrate, also began
the hearings on the cases of the gambling raids made by the District Attorney's me last Thursday.

In the case of Peter Gillispie of 130 West

Twenty-eighth street, Jacobs and William H. Lippert, the secretary of the Citizens Union, testified that they had played roulette with Gillispie, the latter spinning the wheel. The defendant was held in \$1,000 hall for trial bail for trial.

During the Gillespie examination Assist-

ant District Attorney Miner called the negro doorman to the stand after con-ceding he had no criminal case against him, and stated that he was about to use him as a witness. At the request of the negro's lawyer, Justice Wyatt told the doorman that he need not testify to anything that might incriminate him. Mr. Miner said that section 342 of the Penal Code made that section 342 of the Penal Code made special provision that anything witnesses might say in testifying in a gambling case might not thereafter be used against them Justice Wyatt looked over the law and then ruled against Mr. Miner, thus knocking out the attempt to start a John Doe proceeding. The District Attorney thought that under this section of the law he could call Senator Sullivan and a number of other well-known men, who, he says, have frewell-known men, who, he says, have fre quented certain gambling houses and make them testify.

COLLEGE STUDENTS ON STRIKE. 1,000 of Them, Including Co-Eds. Demand

Reinstatement of Suspended Men. Lansing, Mich., Oct. 28.-Because fortyfive students of the Michigan Agricultural College were suspended on account of a class fight about one thousand students yesterday went on strike. The co-eds joined in the revel, and as a result all work at the ollege is suspended.

tesolutions were drawn up at a mass meting of the students in the chapel at noon yesterday demanding the reinstatement of the suspended students, but the committee that presented the resolutions to President Snyder was informed that the faculty mean to stand firm in its position

EMPIRE'S LICENSE REVOKED After Capt. Craft's Head Had Been Chopped Off in the Cellar. Justice Bischoff of the Supreme Court

has revoked the liquor-tax certificates issued to Robert T. Tobin for the Empire sued to Robert 1. Tobin for the Empire Garden, on the ground that he was not entitled to hold the certificate, having been convicted of grand larceny, and that he violated the Liquor Tax law by selling liquor in the prohibited hours and by conducting a disorderly house. This is the place where Capt. Craft's head was cut off with a cleaver. The proceeding was brought by State Excise Commissioner Cullinan.

The Wanamafer ofor

urable Linen Underwear

You know the weakness of the usual "Linen-Mesh" Underwear if you've ever worn it. Perhaps it went to pieces in three months' time, or less.

Bad shape was the first fault; bad seams another; bad mesh still another; and the wrong kind of linen-worst fault

But if you've worn Linen Underwear you don't want to wear anything else. It is warm; it is clean and healthful; it feels good to the skin, and allows the skin to perform its natural healthful functions. There is no scratching, no over-

You want Linen Underwear, but you can't afford to pay a high price every two or three months. And you needn't do it -

The Durable Kind Is Here

And it costs less than the sort that goes to pieces. We've been testing the various kinds for several years—had our people wearing them constantly; and there is just one kind that we can recommend. And it is made by the German manufacturer who originated the linen-mesh idea.

Made in sensible shapes, of good, pure, serviceable linen, well put together.

Ask for the "Original" Linen-Mesh Underwear. Shirts and Drawers for men. \$3 a garment. In medium and heavy weights; shirts with long or short sleeves; drawers with reinforced seats.

The fabric by the yard-for those who wish to repair linen underwear-at \$1 a yard.

C tetson Flexible Derbies The "Featherweight" Flexible Derbies contain every good point a Perby hat can possess. First, they're made by Stetson, which is equivalent to saving that they contain the best possible material and work-

manship. For that is what has made the name of Stetson famous as a hat-maker. Second, they are made on blocks of the very latest, most fashionable styles-a point that appeals to men who like to be

correctly dressed. Third, they are as comfortable and as light as the easy soft hat. They adjust themselves naturally to the shape of the head -lon't need to be blocked into shape. And, because of this very elasticity, they will stand, without being damaged, knocks that would put an ordinary Derby out of commission.

Aren't these good qualities sufficient to make you want to try a Stetson "Featherweight"? \$3.50, \$4, \$5.
Men's Hat Store-Annex, 770 Broadway-across Ninth street.

Mine Sideboards Under-Price

The splendid Fall stocks are now at top fullness. Every corner of our broad floor is crowded to its utmost; and peculiar indeed is that wish that cannot

be gratified when choosing among such ample lines.
But stock fullness demands hurry at certain points, where sample pieces only represent one or two of a kind; hence today's offering of handsome sideboards which deserve every dollar of their regular price, except for the urgent demand for their space. These hints of them:

At \$32, from \$48-Weathered oak Side-

At \$35, from \$50-Mahogany Side-board, Chippendale. At \$35, from \$55 Golden oak Side-At \$40, from \$55 Weathered oak Side-

hoard. At \$45, from \$65—Mahogany Sideboard. At \$55, from \$80-Mahogany Sideboard.

At \$70, from \$95-Mahogany Sideboard Colonial.

At \$80, from \$120—Mahogany Side-board, Colonial.

At \$85, from \$130—Golden oak Side-

At \$95, from \$135-Mahogany Sideboard, Chippendale. At \$95, from \$130—Golden oak Side-

At \$110, from \$165-Mahogany Side-At \$60, from \$90—Belgian oak Side-board. At \$60, from \$90—Mahogany Sideboard Sideboard.

JOHN WANAMAKER

ENAMELED STEEL

COOKING UTENSILS Guaranteed to be absolutely free from

poisonous composition, safe to use, and will

Lewis & Conger 130 and 132 West 47d Street, and 135 West Forty-first Street, New York,

SAY ORPHANS WERE ABUSED. GRAVE CHARGE AGAINST OFFI-

CER OF COLORED ASYLUM.

Brooklyn Grand Jury May He Asked to Act on the Result of Comptroller Grout's Investigation to be Made Public To-day.

The investigation of the affairs of the Colored Orphan Asylum of Brooklyn, under the direction of Comptroller Grout, is said to have resulted in disclosures of grave offences which are to be brought before the Kings county Grand Jury. Dr. D. C. Potter, chief examiner of accounts of institutions as been engaged in the investigation for three weeks and will be ready to submit his report to Mr. Grout to-day. It is said that not only have there been discoveries of gross financial irregularities in the management of the institution, but that the statementof some of the girl orphans showed that they had been subjected to outrage and indignity. According to the statement of one of the persons who has been engaged in the investigation, advantage was taken of the defenceless condition of the inmates to subject them to the most abominable treatment. Direct charges which, if substantiated, may send the accused to prison for a term of twenty years are to be brought against a man who was identified with the management of the institution, and had close relations with William F. Johnson, the octogenarian superintendent, who recently re-

igned. Comptroller Grout last night declined o make any statement in regard to the forthcoming disclosures, which, he said, would be set forth in the report, which he expected to be able to give out to-morrow. From another source it was learned that the accused official is married and was held in the highest regard by the church people who have been interested in the asylum.

Question for Princeton-Harvard Debate. PRINCETON, N. J., Oct. 28.-The question or the coming Harvard-Princeton debate s: "Resolved, That whenever in the event of domestic violence lives and property are not adequately protected by a State it is for the public good that the President should have the power to afford protection without application of the State for Federal aid." Princeton named the question and Harvard will have the choice of sides.



Or Overcoats, we have all the popu'ar kinds, and styles. The short top coat, the medium length, those very stylish long ones, or the swell paddocks:-All here-hest of goods, best of styles, best fitting coat in New York, \$15 to \$45. Suits. Heavy or fall weights, \$15 to \$32.

other Haberdashery and Hats. Smith, Gray & Co. Broadway at 31st St.

Winter Underwear, Hosiery and all

BRASS WATERBURY BRASS CO. homemone

DRESSMAKER SMUGGLED? Woman Customs Inspector Had a Hand

in This Arrest. Mile, Claire Marin, a dressmaker at 31 West Forty-fifth street, was arrested yesterday afternoon at her place by Univer-States Marchal Henkel on a charge of laving smuggled into the country from France five pounds of silk and woollen weating at pare

valued at \$300. Harrison H. Kemlle, an acting deput rived from Hayre on La Toursire on Separation of the Constant of the Constant of the Constant of the Constant of C The goods were then admitted free. M. M. W. Clark, a customs inspector, we called on Mile. Marin on Oct. 9 and tall davit that Mile. Marin and Mrs. Claime de Novaint are the same person.

The dressmaker, who is a handsom woman of about 30, was held by Unless States Commissioner Shields in \$1,000 and for examination on Nov. 6.

Quarters for the Register.

Comptroller Grout announced yesterday that temporary quarters for the Regiwould probably be rented at 114 Libe street, on the fifth and sixth floors of the Engineering building. The Sinking Fund Commission will pass on the matter at its

Broadway, Fourth Avenue, Ninth and Tenth Streets